



FREDERICK COUNTY PLANNING COMMISSION

September 19, 2018

TITLE: Urbana Corporate Center – Lot 810

FILE NUMBER: SP-03-09 (AP 18757, APFO 18758, FRO 18759)

REQUEST: **Site Plan Approval**
The Applicant is requesting Site Development Plan approval to construct an approximately 279,000 sf (gross floor area) Office, Laboratory, and Warehouse building on Lot 810, a 20.4-acre portion of the approved Urbana ORC MXD project.

PROJECT INFORMATION:

ADDRESS or LOCATION: South side of Urbana Terrace, between Bennett Creek Blvd and Bennett Creek Drive

TAX MAP/PARCEL: Tax Map 96, Parcel 113

COMP. PLAN: Office/Research Industrial (ORI)

ZONING: Mixed Use Development (MXD)

PLANNING REGION: Urbana

WATER/SEWER: W-3, S-3

APPLICANT/REPRESENTATIVES:

APPLICANT: Urbana Corporate Center, LLC

OWNER: - same -

ENGINEER: Rodgers Consulting.

STAFF: Denis Superczynski, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

EXHIBIT 1 - Plan Rendering
EXHIBIT 2 – Modification Requests
EXHIBIT 3 – Zoning Verification Letter
EXHIBIT 4 – Architectural Renderings

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting Site Development Plan approval to construct an approximately 279,000 s.f. (gross floor area) office/lab/warehouse building on Lot 810, a 20.4-acre portion of the approved Urbana ORC MXD project. The Site Plan is being reviewed as “Laboratory research, experimental, or testing” per §1-19-5.310 (Use Table) of the Zoning Ordinance and is a permitted use subject to site plan approval (see Exhibit 3: Zoning Verification letter from the Frederick County Zoning Administrator, dated July 25, 2018.).

The proposed development includes the development of 279,000 sq. ft. of interior space in a single primary structure as follows:

- 62,000 sf office (GFA of 2-story building)
- 217,000 sf manufacturing, plant, and shipping space
- Two (2) gated vehicular entrance/exit drives (employees), one (1) uncontrolled vehicular entrance/exit drive (visitors/employees), one (1) dual access vehicular entrance/exit (ungated for visitors; gated for employees), and one (1) gated truck entrance/exit drive serving the loading area

The Project is subject to the requirements of the Phase I rezoning, and the Frederick County Code, specifically Section 1-19-10.500 Planned Development Districts – MXD provisions, and Sections 1-19-3.300 through 1-19-3.300.4 for the Site Development Plan review. The site was designated for employment uses on the Phase I land use plan. Uses proposed in this Application will contain Employment uses commensurate with the Phase 1 rezoning for the Urbana ORC MXD. *Employment uses* - those uses generally permitted in the ORI district such as offices, laboratory research, and limited manufacturing/assembly – are not capped in the MXD.

The MXD project is subject to a Development Rights and Responsibilities Agreement dated June 13, 2018. This allows the Applicant to revise the mix and location of Employment and Commercial uses in this plan within the maximum thresholds established in the Zoning Ordinance without the need to revise the Phase 1 (rezoning) plan. Any building constructed as part of this project will be subject to a cross-referenced and updated ‘Use Score Card’ that would track the available building area remaining in the project as applications for building permits are submitted.

A Zoning Verification letter from the Frederick County Zoning Administrator, dated July 25, 2018, is included as Exhibit 3 in this Staff Report.

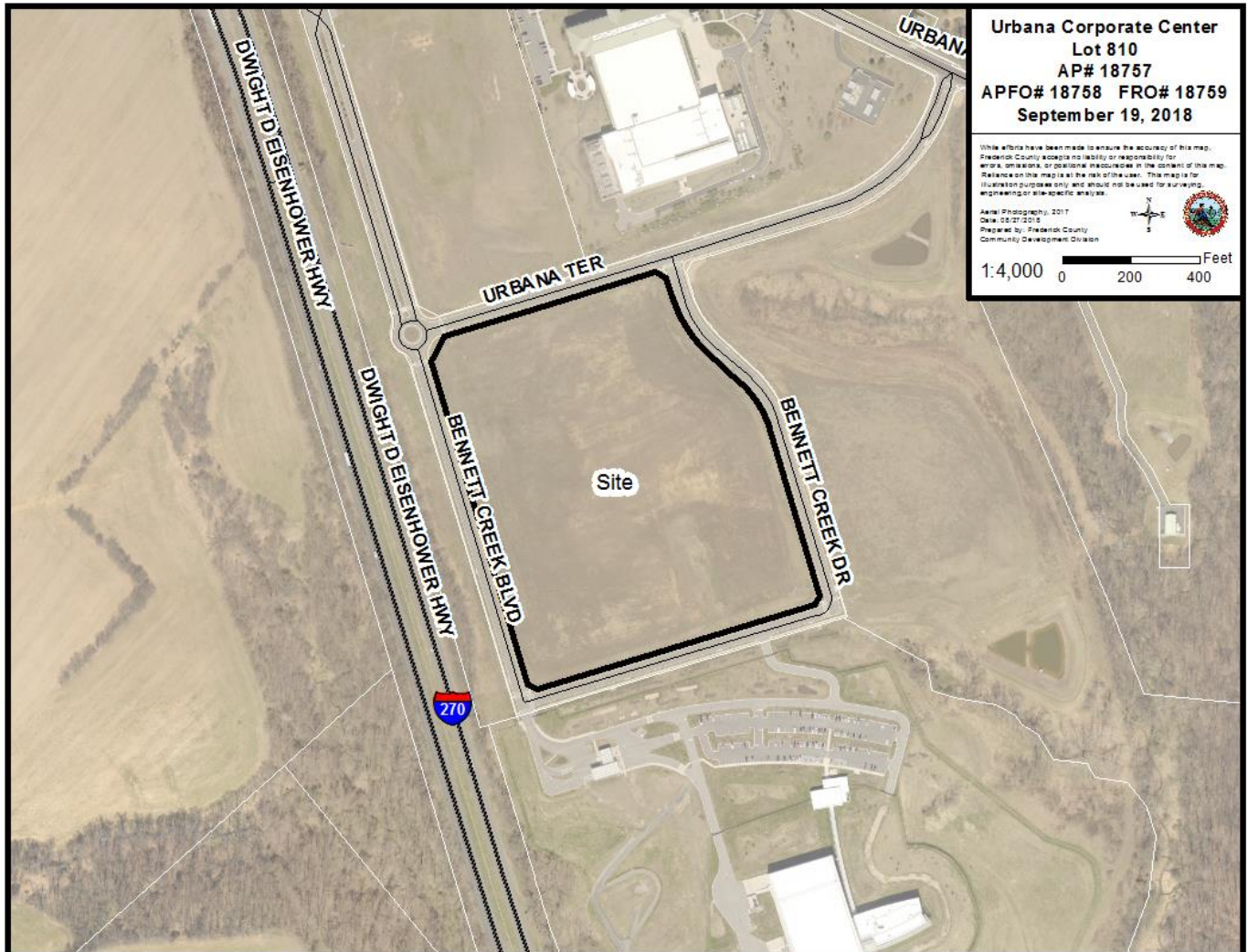
BACKGROUND

Development History

This project constitutes a portion of the overall Urbana ORC MXD. The original iteration of the MXD was rezoned from ORI to MXD in 1998 (R-98-01) with an entertainment/retail complex at its core. The plan was amended in 2009 (R-98-01-A) to incorporate a planned outlet mall. A second revision occurred in 2012 which eliminated most of the retail uses and established what is essentially an employment area with supporting commercial services. A DRRA application was approved by the Board of County Commissioners in 2013 which linked Natelli Communities projects in the Urbana growth area through a combined APFO LOU (revised June 2018). The MXD was most recently amended as part of rezoning application R-16-01(C) to add 210 acres to the MXD for the purpose of developing an age-restricted residential community located south and east of the MXD’s employment center.

Existing Site Characteristics

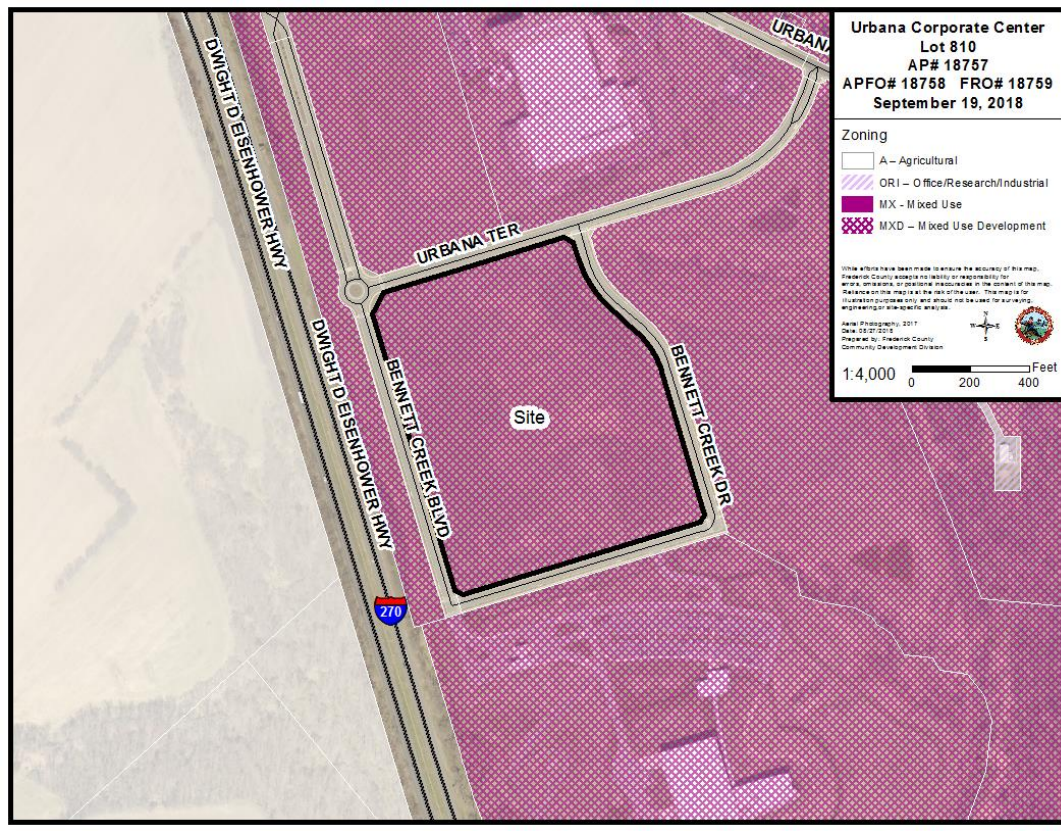
The project site is surrounded by MXD zoning and existing employment uses to the north and south. The GSA's Social Security Data Center is located on the south side of Bennett Creek Drive directly opposite of the proposed Lot 810 development. The Fannie Mae Data Center is located north of this site across Urbana Terrace. A vacant lot is situated at the corner of Urbana Terrace and Bennett Creek Boulevard adjacent to the Fannie Mae center. A vacant land bay is situated on the east side of Bennett Creek Drive across the street from Lot 810. I-270 forms the western boundary of the MXD with agricultural and low density residential uses predominating on the other side of the interstate.



The existing site is cleared of vegetation and is relatively flat varying 20 feet or less across the parcel. The site is generally development-ready with access to utility infrastructure and finished roadways.



Figure 1 - View of Lot 810 toward the southeast



ANALYSIS

Summary of Key Issues

- The proposed development of Lot 810 utilizes previously approved Phase 1 land uses as determined in the rezoning of the property to Mixed Use Development (MXD).
- The Adequate Public Facilities Ordinance Letter of Understanding (APFO LOU) outlining required public facility improvements was revised in June 2018 in conjunction with the Urbana Office Research Center MXD rezoning [Case # R-16-01 (C)]. The current proposal does not exceed the APFO LOU thresholds and therefore does not require an amended LOU.
- The proposed development of the site as a significant employment use is consistent with long-range comprehensive planning goals for the site as well as for the growth area.
- Many of the key issues regarding public utilities and infrastructure have been previously addressed through the planned development of the surrounding properties within the MXD. The remaining issues are those tied directly to the design and layout of the site itself.
- The requested modifications to standards related to parking, off-street loading, street trees/landscaping, and lighting, are in keeping with other such requests for similar projects in the County, and serve to improve the functionality of the developed site.
- The architectural design of the proposed facility remains conceptual, but provides sufficient information to achieve a basic understanding of the proposed building massing. Additional detail related to building material and visible architectural treatments on the north and east elevations are necessary to verify that the final design meets the MXD design standards in the Zoning Ordinance.

Detailed Analysis of Findings and Conclusions

ANALYSIS OF MXD STANDARDS

General land use type and locations shall be established by the County Council in concept at Phase I, and specifically, by the Planning Commission, through the site development plan review process.

- ***Land Use, Mixture, and Design Requirements in the MXD District §1-19-10.500.7***
The general land use type and location was established conceptually by the Board of County Commissioners/County Council through the initial re-zoning and subsequent revisions. The Planning Commission is charged with determining compliance with Site Development Plan standards set forth in the Zoning Ordinance. The land use proposed for the subject site is in compliance with the Ordinance and meets all requirements and conditions of the rezoning ordinance, #17-06-006 dated September 5, 2017. Specifically, the proposed use, as required in Section 1-19-10-500.7(A)(3), is one permitted within the Employment land use category of the MXD district .

Section 1-19-10-500.7(F) establishes requirements for density requirements, setback, and height standards in the MXD. The Planning Commission is charged with determining appropriate setbacks and height standards at Site Development Plan review. All other standards in this section of the ordinance have been addressed previously through the Preliminary and Final Subdivision

Plan review process including site shape, block size, access to transportation networks, and the general availability of public services.

- ***Public Facilities and Utilities in the MXD District §1-19-10.500.8***

Public facilities and utilities serving this MXD have been previously determined to be adequate at the time of rezoning approval. The approved APFO LOU regulating this project provides the framework for determining adequacy of public services planned to serve Lot 810. General open space requirements of the entirety of the MXD have been satisfied through the provision of both passive and active open space areas throughout the MXD.

- ***General Development Standards in the MXD District §1-19-10.500.9***

Several general development standards are outlined in Section 1-19-10.500.9(A)-(D):

Parking, loading, landscaping, lighting, dimensional standards - These issues are addressed in detail later in this report.

Land use integration – The proposed development of Lot 810 enhances and builds upon transportation connections between developed building sites as well as within the overall MXD. Land use transitions are not relevant at this site, however an appropriate approach to the pattern of integration and separation has been successfully established with the overall plan for the MXD.

Pedestrian circulation – The proposed layout of Lot 810 utilizes existing built pedestrian sidewalk networks in the MXD and provides direct and convenient access to and from the site for pedestrians and bicyclists. The Applicant is providing direct sidewalk access via the Visitor/Employee ungated access drive along Bennett Creek Boulevard, but is not providing such access at the three additional access points (one ungated, and two gated). The access points on Bennett Creek Drive must provide sidewalk segments linking the public sidewalk to the site pedestrian network in order to provide access to employees utilizing on-street parking spaces along those roadway segments. A sidewalk connection at the Urbana Terrace would not provide access to on-street parking, and thus remains optional for the Applicant. On-site pedestrian circulation around the building's perimeter is adequate and provides clear access to building entrances. Parking lot pedestrian circulation is facilitated through the provision of demarcated pedestrian paths and crosswalks, as well as a centrally-placed pedestrian 'cut-through' in the largest of the four parking lots on Lot 810 (southeast parking area). An additional pedestrian crossing area should be demarcated at or near the Bennett Creek Boulevard gate to provide a safer driveway crossing for employees parking in the southwestern section of the parking area who must negotiate the pathway across this entry gate. A pedestrian card reader appears to be placed at this location indicating that this type of pedestrian movement is expected by the Applicant.

Maximum block length – Block length for this section of the MXD was established with the approval of the Preliminary Plan and the recordation of the final plat.

Building design, materials, and finishes – The zoning ordinance requires that Applicants demonstrate consistency of building materials on all sides of a structure, and to insure that architectural treatments mitigate for – or avoid entirely – “large expanses of undifferentiated facades and long, plain wall sections.” The ordinance also requires that architectural features, and the orientation of the building itself, shall demonstrate a relationship to the human scale. The Applicant has demonstrated a successful approach to the western and southern elevations, but should continue efforts to address the large scale of the structure in terms of its appearance from the public streets and adjoining sites, perhaps providing visual breaks in the long uninterrupted horizontal facades. The northern, western, and southern faces of the building propose distinct

building massing strategies that reflect the interior uses and serve to create some visual breaks in the large building. The ribbon of ground level fenestration is distinctive and will add an attractive, contemporary, and utilitarian feature to the building, particularly on the north, west and south facades. However, it is the architectural treatment of the east façade that should be refined to present a less imposing building face to future users of those lots situated on the east side of Bennett Creek Drive. Substantial vegetative screening that is proposed for the areas surrounding the loading/service area will function in part to hide these utilitarian areas from view, but may not be completely successful in creating the kind of visual interest that would be most suitable on a public street frontage. The Applicant should consider the incorporation of vertical building elements, color or texture differentiation of the proposed painted panel system, or bolder expressions of the horizontal features of the structure. Staff is sensitive to the programmatic restrictions on actual fenestration or building openings along the east façade, but the architectural design should make some attempt to present a more engaging front along a façade that is serving functionally as the rear side of the building. The structure at its highest point would stand approximately 44 feet tall (equipment enclosure elements only), with the majority of the structure reaching a maximum of approximately 33 feet, or approximately three typical building levels.

Additional architectural information related specifically to the north and east elevations of the building would be useful in determining how the structure meets the MXD design standards. Given the high quality of design and building finishes utilized in the development of the west and south elevations, Staff is confident it can work with the Applicant to address the architectural treatment of the east elevation.



Building placement and orientation – The Applicant demonstrates compliance with standards (9) through (13) by providing clear functional separations between disparate sub-uses on the site.

Building orientation – situated within and occupying an entire block – is optimized primarily due to the excellent pre-planning of this section of the MXD by the Applicant in previous years.

Parking, transportation, and site circulation – The Applicant demonstrates compliance with standards (14) through (18) by minimizing the impacts of the large parking areas proposed for this site. As a stand-alone use set amongst other security-conscious users, the Applicant cannot rely on shared or joint parking agreements to meet the heavy vehicular parking demand of the final user. To the extent possible, the proposal seeks to install and utilize a number of on-street parking spaces in an effort to make use of existing paved surfaces. Unlike adjacent data center sites in the MXD, the proposed user of Lot 810 requires a large number of on-site employees in order to operate. As a result, the Bennett Creek Drive (southern boundary) street frontage is faced by the largest of the parking areas on this site. To mitigate for this impact, the Applicant is providing a substantial investment in a ‘second line’ of street trees, as well as a copiously landscaped parking lot which includes nearly 200 shade trees and 52 canopy-producing ornamental trees. The addition of shrubs and evergreen plantings to screen portions of the view of the parking areas (and loading area) provides adequate buffering for the long expanse of automobile parking along the southern street frontage.

Natural features – This site has been planned and developed as an urban/suburban mixed use employment center. Natural features within the overall MXD have been protected and, in many cases, incorporated into the open space network within the development. No environmentally sensitive areas are present on Lot 810.

Water and sewer service – This site is served by public water and sewer service and is designated W-3/S-3 in the Frederick County Water and Sewerage Plan.

Transportation, utilities, streets and roads – These standards apply primarily to the overall development of the MXD and have been satisfied in previous approvals.

ANALYSIS OF SITE DEVELOPMENT PLAN REVIEW

Site Development Plan approval shall be granted if the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance are met.

SITE DEVELOPMENT

Setbacks and height within the Planned Development Districts (PUD & MXD) shall be established by the Planning Commission at Phase II as provided in §1-19-10.500.7(F)(2) of the Zoning Ordinance.

The proposed setbacks and building heights for this site as shown below:

Front Yard (minimum):	25'
Proposed (north)	91'
Proposed (west)	164'
Proposed (south)	325'
Proposed (east)	135'
Rear Yard:	n/a
Side Yard:	n/a
Max. Building Height:	55'
Proposed Bldg Height:	44'
Guardhouse Setback:	47'
Parking Lot Setback:	12.5'

The proposed dimensional standards are generally in keeping with a pattern of development in an area of larger, non-residential structures. In assessing the appropriateness of building setbacks in this project, staff considered the settings along Bennett Creek Boulevard, Bennett Creek Drive, and Urbana Terrace. While Bennett Creek Boulevard currently serves as the main spine road into the employment area, future development of adjacent vacant parcels may change the level of pedestrian and vehicular traffic along any of these roadways, making it less clear which of the building facades are primary. Indeed, per the Zoning Ordinance, each of the four road frontages presents a front yard. The requested dimensional standards provide a balance between the need to accommodate large employers developing suburban-style employment campuses and imperative to provide a more humane public street environment.

While no specific signage plan has been submitted, the Applicant has indicated the calculated maximum amount of sign area permitted for the site, exclusive of directional signage. Staff encourages the use of directional signage which guides visitors – pedestrians, cyclists, and drivers – when approaching the site and after entering the interior of Lot 810. Building-mounted signage is indicated on the west elevation in the far northern corner, and appears to be well within the maximum permitted sign allotment.

General signage regulations permit for the following allotment on this Site Plan:

Lot 810: Maximum sign area: 486.8 sf
(2,370 ft. of frontage; $10 \times \text{sq. root of frontage} = 48.68 \times 10$)

- **Site Development §1-19-3.300.4 (A)**

Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.



Being surrounded on three sides by non-residential development (and by I-270 on the fourth side) much of the proposed design response reflects an effort to maximize the functionality of a large,

secured site.

Section 1-19-6.400 of the Zoning Ordinance requires landscaping, screening and buffering on a development site as part of the site plan review process.

Street Trees - Street trees, of an appropriate variety, are provided along all four street frontages for Lot 810. There are currently 91 trees planted along the existing roadways. The Applicant proposes the removal of 14 of those trees to accommodate entrance drives and safe sight distance. A modification request has been submitted as part of this application seeking approval to allow a secondary band of trees – a perimeter tree belt – to be established around the site. The provision of this tree belt will add 123 additional trees along the street and make a substantial improvement in the appearance of the site after construction. With 3,704 linear feet of street frontage – with trees required on a 35 foot interval – a total of 106 street trees are required by the ordinance.

Street trees required: 106 trees

Street trees provided: 77 trees (existing) + 123 trees (planted in 'second line' tree belt) = 200 trees.

Staff supports this modification request.

Parking Lot Landscaping – Landscaping within and surrounding the parking areas on Lots 810 is proposed to exceed the minimum requirements of the Zoning Ordinance. Significant screening and buffering is provided along the perimeter of the Site, and extensive tree canopy cover is provided within the parking area (in excess of the minimum 20% required by the County Code). While the Zoning Ordinance requires that parking bays be broken into groups averaging 15 spaces, and capped with planted islands, the Applicant instead is providing continuous wide tree bands stretching the length and width of all parking lots. This approach mitigates for the long continuous rows of parking spaces while providing a rich and varied tree canopy throughout the lots. Both functionally and visually, the landscaping within the parking areas represents a successful approach to addressing the County standards, albeit with the necessary modification request. Staff supports this modification request.

Lighting - A photometric plan has been provided that includes light fixtures that exceed the maximum height requirement of 14-ft. for pedestrian-oriented development in the MXD. The Applicant requests a light pole height modification to permit the use of 24 ft. poles with the point of illumination mounted at 20 feet. Staff recommends approval of the light pole height modification to allow the slightly higher illumination points. No light in excess of 0.5 foot-candles leaves the site as illustrated on the photometric plan. The proposed pole and fixture style is used throughout the Urbana ORC MXD on both the street network, and within previously developed sites, including the Sally Mae and Legal and General buildings.

TRANSPORTATION AND PARKING

- ***Transportation and Parking §1-19-3.300.4 (B)***

The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities.

The Lot 810 proposal provides five (5) points of entry into the site from public streets:

Bennett Creek Boulevard – Primary Visitor entrance (ungated) and gated Employee access to southern parking lot.

Bennett Creek Drive (south leg) – One of two Employee-only entrances (gated)

Bennett Creek Drive (east leg) – One Employee-only entrance (gated); One loading area entrance (gated with guard house)

Urbana Terrace – Visitor and Employee Entrance (ungated)

This multi-drive entry/exit strategy provides a means of distributing incoming and outgoing trips to and from the site, particularly at shift change hours. A dedicated southbound left turn lane is provided along Bennett Creek Boulevard to avoid the potential for vehicular back-ups due to the off-site stacking of vehicles entering at the combined Visitor/Employee entrance gate. The other entry points are less susceptible to this type of back-up given the likely predominance of right-turning vehicles and few, if any, competing traffic generators on this end of the MXD.

Parking standards for the project are provided within Zoning Ordinance §1-19-6.220 and §1-19-3.300.4(B). The Parking Space Requirement Table under §1-19-6.220 does not include “Laboratory research, experimental, or testing”. The required parking for this proposal has been determined under Section 1-19-6.220(A)(4) which states that for uses not listed in the Parking Space Requirement Table, the Planning Commission or its authorized representative shall determine the required number of spaces to be provided. This determination may be based on the characteristics of the proposed use. This site will ultimately employ 900 people who will be working primarily in two shifts. A period of approximately 1-2 hours of each shift will overlap with the next, therefore justifying the need for one parking space per employee. Since the full number of anticipated workers will not be immediately employed, the Applicant proposes to phase the construction of the parking lots.

Parking Spaces Provided: 903

794 (Parking Phase 1) – 753 on-site; 41 on-street

109 (Parking Phase 2)

Loading Spaces (large) Required: 20

Loading Spaces (large) Provided: 2 (large); 3 (small)

Bicycle Parking Spaces Required: 8 racks (16 spaces)

Bicycle Parking Spaces Provided: 8 racks (16 spaces)

A modification request has been submitted seeking relief from the loading space requirement based on the nature of the proposed use. The Planning Commission is authorized to approve loading space modifications per 1-19-6.210(D). Staff supports this modification request.

PUBLIC FACILITIES AND UTILITIES

- **Public Utilities §1-19-3.300.4 (C)**

Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development.

The Project is to be served by public water and sewer service and carries a current Water and Sewerage Plan classification of W-3, S-3. The Site will be served by the New Design Water Treatment Plant and the Ballenger-McKinney Wastewater Treatment Plant.

NATURAL FEATURES

- **Natural features §1-19-3.300.4 (D)**

Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

The Project Site has low topographical gradients and has undergone some mass grading in preparation for development. The Site has no existing forest cover. Other existing natural resources within the larger MXD have been identified, preserved, or integrated into off-site recreational amenities in a fashion that maintains a natural state.

COMMON AREAS

- **Common Areas §1-19-3.300.4 (E)**

If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

No common areas are required by or provided in this Application.

Other Applicable Regulations

- **Stormwater Management – Chapter 1-15.2**

Stormwater management for this development is provided by existing pond 'WW' (AP 11435). A SWM Administrative waiver was approved December 2, 2010 (AP 11433). Some additional newly designed and constructed ESD's are proposed on this site to accommodate stormwater quality requirements.

- **APFO – Chapter 1-20**

The third amended Letter of Understanding (LOU) was approved June 13, 2018 (AP 12779).

Schools: This project is a non-residential in use and will have a student yield of zero.

Roads: The project is expected to generate 167 AM and 181 PM weekday peak hour trips. Because this development does not exceed the trip caps for Phase 1 as stated in the LOU, it is APFO Exempt.

Water/Sewer: DUSWM has no objections to approval subject to compliance with the executed LOU.

- **Forest Resource – Chapter 1-21:**

The FRO plan for the overall Urbana MXD/ORI was approved in 2010 (AP 11308) and the mitigation requirements were satisfied by recording FRO easements.

- **Historic Preservation – Chapter 1-23:**

No historically significant structures or other resources are present on this Site.

Summary of Agency Approval Status

Other Agency or Ordinance Requirements	Comment
<i>Office of Life Safety</i>	Conditionally Approved
<i>Development Review Planning</i>	Conditionally Approved
<i>Development Review Traffic Engineering</i>	Conditionally Approved
<i>Division of Utilities and Solid Waste Management (DUSWM)</i>	Conditionally Approved
<i>Health Department</i>	Waived
<i>Forest Resource (FRO)</i>	Approved
<i>Development Review Engineering</i>	Conditionally Approved
<i>State Highway Administration (SHA)</i>	Waived

RECOMMENDATION

Should the Planning Commission conditionally approve this Site Plan for Urbana ORC MXD, Lot 810 (AP 18757), the motion for approval should include the following items:

1. Site Plan approval is valid for three (3) years from today's date, or until September 19, 2021.

Based upon the findings, conclusions, and modifications as presented in the staff report, Staff finds that the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following modifications are granted and conditions met:

Planning Commission approval of the following modification requests from the Applicant:

1. Modification to permit five (5) loading spaces – 2 large spaces and 3 small spaces – where twenty (20) are required by the Zoning Ordinance.
2. Modification to provide 77 street trees (existing) as well as a second line of tree plantings along the entirety of the property perimeter as depicted on Plan Sheets LA-1 through LA-4, exceeding the 91 trees required by the Zoning ordinance.
3. Modification of the parking area landscaping standard that requires parking bays to contain no more than 10 spaces per bay on average, and no more than 15 spaces in any single bay. The Applicant will provide shade tree plantings within continuous landscaped planting islands of approximately 8 ft in width throughout the parking areas on the site, as depicted on Plan Sheets LA-1 through LA-4.
4. Modification to allow light fixtures to be mounted at a height of 20 feet (point of illumination) above the ground, where the Zoning Ordinance restricts lighting height to 14 feet in the MXD.

Staff-proposed conditions of approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. Provide missing sidewalk links connecting the public sidewalks to the on-site sidewalks at both Bennett Creek Drive entry gate locations to allow pedestrian access from the 41 on-street employee parking spaces provided and identified on the Site Plan. Provide the missing sidewalk link at the Urbana Terrace entry drive (ungated) to connect the on-site sidewalk to the public sidewalk in order to provide a convenient pedestrian path for employees travelling northward on foot.
3. Provide a demarcated crosswalk on the east side of the Bennett Creek Boulevard entry gate to allow a safe crossing for employees walking between the building entrances and their parked vehicles in the southwestern section of the parking lot.
4. Provide a signage plan identifying the size and location of pole-mounted, building-mounted, or monument signs proposed for the site.
5. Work with Staff to verify that the architectural treatment of the northern and eastern building elevations complies with the MXD design standards.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** the Urbana ORC MXD, Lot 810 Site Plan (AP#18757) to construct an approximately 279,000 sf (gross floor area) Office, Laboratory, and Warehouse building on Lot 810, a 20.4-acre portion of the approved Urbana ORC MXD project. The approval is made **with conditions and modifications** as listed and is based on the findings and conclusions of the staff report, the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit No. 1: Plan rendering—Proposed Urbana ORC MXD – Lot 810



Urbana Corporate Center – Lot 810

September 19, 2018

Page 16 of 19

Exhibit No. 2: Modification Requests

Modification Requests

- A modification to **§1-19-6.200(b), Off-Street Loading** is hereby requested, as the code would require 20 large (12'x50') loading spaces. The user does not have significant large truck traffic for deliveries/shipment that would require 20 large loading spaces. It has evaluated its program and has documented that 2 large and 3 small spaces are sufficient for its anticipated needs, in addition to a small space in the front to service the cafeteria needs. As this request is a reduction in area and lessens any burden on-site, no additional compensating features are needed, however the loading area will be landscaped and access controlled into the building to control deliveries/shipments accordingly.
- A modification to **§1-19-6.400 (A) Street Trees**, is hereby requested, as the code requires one tree per 35 feet of roadway frontage. Approximately 14 trees are proposed to be removed to accommodate the four (4) entrances from the public street(s). As an alternative, or compensating feature, the landscape plan depicts a secondary tree panel along the perimeter of the lot. This is shown to be planted with a mix of shade/ornamental and evergreen trees between the sidewalk and the perimeter fence, effectively creating a double row of 'street trees' along the road frontage.
- A modification to **§1-19-6.400 (D) Parking and Landscaping**, is hereby requested, as the code generally requires that each parking bay shall contain no more than 15 continuous parking spaces. As noted above, in order to accommodate the specific user and the needs of a multiple shift-type user, a specific amount of parking is needed. Further, in an effort to provide compensating features, but maintain the purpose and intent of the landscaping requirements, a linear green area/planting strip is proposed. The green area/planting strips are roughly 8' in width and run along the entire length of the parking rows. The parking lot landscape requirement would effectively require $\pm 9,360$ sq. ft. of green area island within the parking lot, whereas the proposed design would yield $\pm 19,700$ sq. ft. of green area planting strip, an increase more than twice that which is required due to the design alternative.
- A modification to **§1-19-6.500 (B) Pole Heights**, is hereby requested for a portion of the project as the code requires 14' pole heights in pedestrian oriented components of MXD's. It should be noted that the standard for industrial is 24'. To that end, the lighting plan proposes to use a fixture type consistent with what exists throughout the Southern MXD including the Legal and General Building, to maintain a design theme for the employment district. The point of illumination is projected to be 20', on 24' poles. Therefore, the poles meet the lighting requirements. However, to the extent that the poles and or all or portion of the site are considered a 'pedestrian oriented component', the modification would then be required. It should be noted that an increase in point of illumination allows for lesser poles to provide sufficient illumination as opposed to more poles yet slightly shorter.

N:\PROJDOCS\590G16 (Lot 810)\Site Plan\Project Element Site Plan Justification.docx

Exhibit No. 3: Zoning Verification Letter



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING
Department of Development Review

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Michael L. Wilkins, Director

July 25, 2018 **Updated Letter**

Urban Corporate Center, LLC
c/o Krista Davisson, Esq.
506 Main Street
Suite 300
Gaithersburg, MD 20878
kdavisson@natelli.com

Re: Urbana Corporate Center
Tax Map 96, Parcel 113, Land Bay 5
Tax ID #07-202695
S-1069

To Whom It May Concern,

This office received your request for a Zoning Verification on July 5, 2018, and has provided this updated letter dated July 25, 2018 to include the underlined section below. The original Zoning Verification letter specially requested if the parcel in question (Tax map 96, Parcel 113, Land Bay 5) permits the use of a "biomanufacturing use".

In accordance with the Frederick County Zoning Ordinance (Ordinance), a "biomanufacturing use" is considered a "Laboratory research, experimental or testing".

The above referenced property (Property) is currently zoned Mixed-Use Development (MXD) under the (Ordinance), Land Bay 5 is designated as Employment/Commercial land use within the Urbana MXD.

The most recently approved Preliminary Plan S-1069 AP 14191, notes on Sheet 1 that a maximum of "220,000 square feet of buildings may be constructed for Employment Land uses, and 18,000 square feet for Restaurants under the Commercial Land use designation. Land Bay sizes, building heights, uses, and square footages may be adjusted, subject to Final Site Plan review and approval by the Frederick County Planning Commission."

Ordinance Section 1-19-5.310 USE TABLE indicates that both "Laboratory research, experimental or testing" is an allowable use in the Employment portion of the MXD zoning district as a principal permitted use with site development plan approval. "Laboratory research, experimental or testing" would also allow for accessory uses that are located on the same Property which serve a purpose customarily incidental to the Principal Use, such as manufacturing, office and warehouse, storage and distribution.

Based on the information provided, and a review of the Zoning Ordinance, as well as S-1069 AP 14191, I find the proposed use of a "Laboratory research, experimental or testing" to be allowable at this Property.

A subdivision/site development plan and associated permits will be required for establishing the use on the Property, as well as any associated fees and reviews by other local County, State and Federal agencies.

A review of the records in this office does not reflect any existing zoning violations at this Property at this time.

If you have any questions, please contact Tolson DeSa at 301-600-1491.

Sincerely,

Tolson DeSa
Zoning Administrator
cc: ZV18-37, AP#18667
ec: Michael Wilkins
Michael Chomel

Frederick County: Rich History, Bright Future
30 North Market Street, Frederick, MD 21701 • 301-600-1138 • Fax 301-600-1645
www.FrederickCountyMD.gov

Exhibit No. 4: Architectural Renderings

